

# PATENT COOPERATION TREATY

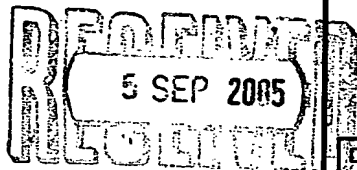
12-606  
etc

From the INTERNATIONAL SEARCHING AUTHORITY

## PCT

To:  
BECK GREENER  
Fulwood House  
Attn. Freeman, Avi  
12 Fulwood Place  
London  
WC1V 6HR  
UNITED KINGDOM

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION



(PCT Rule 44.1)

|   |   |
|---|---|
| Applicant's or agent's file reference<br><b>AF2/P9798WO</b> | Date of mailing<br>(day/month/year) <b>02/09/2005</b>           |
| International application No.<br><b>PCT/GB2004/005164</b>   | International filing date<br>(day/month/year) <b>09/12/2004</b> |
| Applicant<br><br><b>XYRATEX TECHNOLOGY LIMITED</b>          |   |

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

**Filing of amendments and statement under Article 19:**  
 The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

**When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
 1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, within **20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

|  |   |
|--|---|
| Name and mailing address of the International Searching Authority<br>European Patent Office, P.B. 5818 Patentlaan 2<br>NL-2280 HV Rijswijk<br>Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,<br>Fax: (+31-70) 340-3016 | Authorized officer<br><br><b>Florence Jouteux</b> |
|--|---|

## NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

#### What documents must/may accompany the amendments?

**Letter (Section 205(b)):**

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

## NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### "Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

### Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

|   |   |  |
|---|---|--|
| Applicant's or agent's file reference<br><b>AF2/P9798WO</b> | <b>FOR FURTHER ACTION</b> <div style="float: right; font-size: small;">see Form PCT/ISA/220<br/>as well as, where applicable, item 5 below.</div> |  |
| International application No.<br><b>PCT/GB2004/005164</b>   | International filing date (day/month/year)<br><b>09/12/2004</b>   | (Earliest) Priority Date (day/month/year)<br><b>12/12/2003</b> |
| Applicant<br><br><b>XYRATEX TECHNOLOGY LIMITED</b>          |   |  |

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (See Box II).

3. ☐ **Unity of invention is lacking** (see Box III).

**4. With regard to the title,**

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

**A METHOD OF TRANSFERRING DATA IMPLYING A NETWORK ANALYSER CARD**

**5. With regard to the abstract,**

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

**6. With regard to the drawings,**

- a. the figure of the **drawings** to be published with the abstract is Figure No. 2

☐ as suggested by the applicant.

☒ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/GB2004/005164

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

In conventional systems the CPU is alerted after a data frame has been received and the packet stored in a host buffer. This interrupts normal operation of the CPU and applications, which is detrimental to systems performance. The invention relates to a method of transferring data from a network(8) to a host(4) using a network analyser card, (2)where a plurality of data frames from a network link is received and a descriptor is added to the frame. The descriptor includes data about the frame; each data frame and its or their attached descriptor is transferred to a host memory.

## INTERNATIONAL SEARCH REPORT

 International Application No  
 PCT/GB2004/005164

 A. CLASSIFICATION OF SUBJECT MATTER  
 Int. Cl. 7 H04L12/26 G06F13/38

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04L G06F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages                                | Relevant to claim No. |
|------------|---|-----------------------|
| A          | US 2003/188054 A1 (SAITO HIROSHI ET AL)<br>2 October 2003 (2003-10-02)<br>abstract                                | 1-46                  |
| A          | US 5 903 774 A (HANNAH ERIC C)<br>11 May 1999 (1999-05-11)<br>abstract<br>column 1, line 58 - column 2, line 58   | 1-46                  |
| A          | US 6 434 620 B1 (BLIGHTMAN STEPHEN E J ET AL) 13 August 2002 (2002-08-13)<br>cited in the application<br>abstract | 1-46                  |
| A          | US 6 480 489 B1 (CHENG LINDA T ET AL)<br>12 November 2002 (2002-11-12)<br>cited in the application<br>abstract    | 1-46                  |

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

## \* Special categories of cited documents :

\*A\* document defining the general state of the art which is not considered to be of particular relevance

\*E\* earlier document but published on or after the international filing date

\*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

\*O\* document referring to an oral disclosure, use, exhibition or other means

\*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*&amp;\* document member of the same patent family

Date of the actual completion of the international search

13 June 2005

Date of mailing of the international search report

02/09/2005

Name and mailing address of the ISA

 European Patent Office, P.B. 5818 Patentlaan 2  
 NL - 2280 HV Rijswijk  
 Tel (+31-70) 340-2040, Tx. 31 651 epo nl,  
 Fax: (+31-70) 340-3016

Authorized officer

Schwibinger, H-P

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB2004/005164

| Patent document<br>cited in search report |    | Publication<br>date | Patent family<br>member(s) | Publication<br>date |
|---|----|---------------------|----------------------------|---------------------|
| US 2003188054                             | A1 | 02-10-2003          | JP 2004005382 A            | 08-01-2004          |
| US 5903774                                | A  | 11-05-1999          | WO 9737308 A1              | 09-10-1997          |
|   |    |                     | DE 69618998 D1             | 14-03-2002          |
|   |    |                     | DE 69618998 T2             | 29-08-2002          |
|   |    |                     | EP 0976025 A1              | 02-02-2000          |
|   |    |                     | JP 11501429 T              | 02-02-1999          |
|   |    |                     | JP 3271668 B2              | 02-04-2002          |
|   |    |                     | WO 9718510 A1              | 22-05-1997          |
|   |    |                     | US 5887989 A               | 30-03-1999          |
|   |    |                     | US 5802069 A               | 01-09-1998          |
|   |    |                     | US 6009527 A               | 28-12-1999          |
| US 6434620                                | B1 | 13-08-2002          | US 2004003126 A1           | 01-01-2004          |
|   |    |                     | US 2002147839 A1           | 10-10-2002          |
|   |    |                     | US 2004030745 A1           | 12-02-2004          |
|   |    |                     | US 6427173 B1              | 30-07-2002          |
|   |    |                     | US 6427171 B1              | 30-07-2002          |
|   |    |                     | US 2004062246 A1           | 01-04-2004          |
|   |    |                     | US 2004100952 A1           | 27-05-2004          |
|   |    |                     | US 2004111535 A1           | 10-06-2004          |
|   |    |                     | US 2001047433 A1           | 29-11-2001          |
|   |    |                     | US 2001021949 A1           | 13-09-2001          |
|   |    |                     | US 2004240435 A1           | 02-12-2004          |
|   |    |                     | US 2002091844 A1           | 11-07-2002          |
|   |    |                     | US 2002087732 A1           | 04-07-2002          |
|   |    |                     | US 2002095519 A1           | 18-07-2002          |
|   |    |                     | US 2002161919 A1           | 31-10-2002          |
|   |    |                     | US 6389479 B1              | 14-05-2002          |
|   |    |                     | US 2004117509 A1           | 17-06-2004          |
|   |    |                     | US 2001036196 A1           | 01-11-2001          |
|   |    |                     | US 2001037397 A1           | 01-11-2001          |
|   |    |                     | US 2001037406 A1           | 01-11-2001          |
| US 6480489                                | B1 | 12-11-2002          | AU 3387400 A               | 21-09-2000          |
|   |    |                     | EP 1157518 A2              | 28-11-2001          |
|   |    |                     | JP 2002538723 A            | 12-11-2002          |
|   |    |                     | WO 0052879 A2              | 08-09-2000          |

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

## PCT

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/GB2004/005164

International filing date (day/month/year)  
09.12.2004

Priority date (day/month/year)  
12.12.2003

International Patent Classification (IPC) or both national classification and IPC  
H04L12/26, G06F13/38

Applicant  
XYRATEX TECHNOLOGY LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1 (a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/005164

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/005164

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**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

|                               |             |      |
|-------------------------------|-------------|------|
| Novelty (N)                   | Yes: Claims | 1-46 |
|                               | No: Claims  |      |
| Inventive step (IS)           | Yes: Claims | 1-46 |
|                               | No: Claims  |      |
| Industrial applicability (IA) | Yes: Claims | 1-46 |
|                               | No: Claims  |      |

**2. Citations and explanations**

**see separate sheet**

Re Item V.

1

Reference is made to the following document:

D1 : US 5903774 (ERIC C. HANNAH) 11 May 1999

2 Independent Claim 1

Document D1, which is considered to represent the most relevant state of the art, discloses (see column 1, line 58 - column 2, line 58 in particular ):

a method of transferring data from a network to a host using a network analyser card, the method comprising at the network analyser , receiving a plurality of data frames from a network link.

From this, the subject-matter of independent claim 1 differs in that: a descriptor is added to the or each frame, the descriptor including data about the frame and transferring the or each data frame and their attached descriptor to a host memory.

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT) The problem to be solved by the present invention may be regarded as guaranteeing the fluent through put of data.

3 Dependent Claims 2 - 7

Claims 2-7 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

4 Independent Claim 8

Document D1, which is considered to represent the most relevant state of the art, discloses (see column 1, line 58 - column 2, line 58 in particular ):

a method of transferring multi-channel data received from a network to a host using a

network analyser card, the network analyser card comprising a receiver for receiving plural data frames from a network link on a first channel and a receiver for receiving plural data frames from the network link on a second channel; a descriptor adder configured and arranged to add a descriptor to at least some of the data frames received on the first channel and a descriptor adder configured and arranged to add a descriptor to at least some of the data frames received on the second channel, the descriptors including data about the data frame to which it is attached.

From this, the subject-matter of independent claim 8 differs in that: receiving data from first and second channels on the receivers of the network analyser card ; and adding an indicator in the descriptor associated with received data frames indicative of the next channel on which a data frame was received, whereby when stored in an associated host memory said indicators can be used to merge data from said first and second channels in a desired order.

The subject-matter of claim 8 is therefore novel (Article 33(2) PCT) The problem to be solved by the present invention may be regarded as guaranteeing the fluent throughput of data.

#### 5 Independent Claim 9

Document D1, which is considered to represent the most relevant state of the art, discloses (see column 1, line 58 - column 2, line 58 in particular ):

a network analyser card, the card comprising a receiver for plural data frames from a network link; and a descriptor adder configured and arranged to add a descriptor to at least some of the received data frames.

From this, the subject-matter of independent claim 9 differs in that: the descriptor including data about the data frame to which it is attached for use in processing of the data frame.

The subject-matter of claim 8 is therefore novel (Article 33(2) PCT) The problem to be solved by the present invention may be regarded as guaranteeing the fluent throughput of data.

#### 6 Dependent Claims 10 - 22

Claims 10 - 22 are dependent on independent claims 8 or 9 and as such do also meet

the requirements of the PCT regarding novelty and inventive step.

**7 Independent Claim 23**

Document D1, which is considered to represent the most relevant state of the art, discloses (see column 1, line 58 - column 2, line 58 in particular):

a network analyser card for connection to a host computer, the network analyser card comprising a receiver comprising an input buffer for receiving data frames from a network to which the host is connected;

From this, the subject-matter of independent claim 23 differs in that the network analyser card comprises a meta data insertion unit for attaching meta data to each data frame, the meta data relating to parameters of the data frame; and an output generator for transferring data frames and attached meta data to a host buffer associated with the host in dependence to the meta data attached to the data frames.

The subject-matter of claim 23 is therefore novel (Article 33(2) PCT) The problem to be solved by the present invention may be regarded as guaranteeing the fluent through put of data.

**8 Dependent Claims 24 - 27**

Claims 24-27 are dependent on claim 23 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

**9 Independent Claim 28**

Document D1, which is considered to represent the most relevant state of the art, discloses (see column 1, line 58 - column 2, line 58 in particular):

a host for connection to a network, the host comprising a network analyser card, a central processing unit, and a memory to receive and store data packets received from the network, the host being arranged such that the central processing unit is not interrupted when every data packet is received in the memory from the network analyser card.

From this, the subject-matter of independent claim 28 differs in that the network analyser card is according to any of claims 9 to 27 of the application.

The subject-matter of claim 28 is therefore novel (Article 33(2) PCT) The problem to be solved by the present invention may be regarded as guaranteeing the fluent through put of data.

**10 Dependent Claims 29 and 30**

Claims 29, 30 are dependent on claim 28 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

**11 Independent Claim 31**

Document D1, which is considered to represent the most relevant state of the art, discloses (see column 1, line 58 - column 2, line 58 in particular ):  
a method of navigating through a memory in which data packets are stored, at least some of the data packets including a descriptor containing information about the data packet with which it is associated, the method comprising reading the descriptor of the first data packet to obtain information about the first data packet.

From this, the subject-matter of independent claim 31 differs in that in dependence on said information a subsequent data packet is accessed.

The subject-matter of claim 31 is therefore novel (Article 33(2) PCT) The problem to be solved by the present invention may be regarded as guaranteeing the fluent through put of data.

**12 Dependent Claims 32 - 34**

Claims 32-34 are dependent on claim 31 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

**13 Independent Claim 35**

Document D1, which is considered to represent the most relevant state of the art, discloses (see column 1, line 58 - column 2, line 58 in particular ):

a method of creating a merged data stream in a network analyser using data stored in regions of a host memory of the network analyser, the regions corresponding to channels from which the data was received by the host from a network to which the network analyser is connected, the merged data stream comprising data from at least two channels merged in a desired order, the method comprising: reading from a first region of the host memory data of a first data packet from a first channel; reading a descriptor associated with the first data packet.

From this, the subject-matter of independent claim 35 differs in that the descriptor contains an indicator of the next channel to be accessed and in dependence on the indicator reading from another region of the host memory data of a data packet from the next channel.

The subject-matter of claim 35 is therefore novel (Article 33(2) PCT) The problem to be solved by the present invention may be regarded as guaranteeing the fluent through put of data.

#### 14 Dependent Claims 36 - 39

Claims 36-39 are dependent on claim 35 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

#### 15 Independent Claim 40

Document D1, which is considered to represent the most relevant state of the art, discloses (see column 1, line 58 - column 2, line 58 in particular ):

a host for connection to a network, the host comprising a network analyser card, a memory and a central processing unit, wherein the network analyser card is arranged and configured to receive data frames from the network and comprises a hardware component configured to cause a received frame to be dropped.

From this, the subject-matter of independent claim 40 differs in that the received frame is dropped in dependence on the amount of data stored in the host memory and / or a memory provided on the network analyser card.

The subject-matter of claim 40 is therefore novel (Article 33(2) PCT) The problem to be

solved by the present invention may be regarded as guaranteeing the fluent through put of data.

**16 Dependent Claims 41 - 45**

Claims 41-45 are dependent on claim 40 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

**17 Independent Claim 46**

Document D1, which is considered to represent the most relevant state of the art, discloses (see column 1, line 58 - column 2, line 58 in particular ):

In a host for connection to a network, the host comprising a network analyser card for receiving data frames from the network, the network analyser card being arranged and configured to add a descriptor to received data frame containing data about the data frame to which it is added for use in processing of the data frame, a host memory and a central processing unit associated with the host.

From this, the subject-matter of independent claim 46 differs in the addition features given in the list included in claim 46.

The subject-matter of claim 46 is therefore novel (Article 33(2) PCT) The problem to be solved by the present invention may be regarded as guaranteeing the fluent through put of data.